

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15598 of Deborah A. Shields, as amended, pursuant to 11 DCMR 3108.1, for a special exception under Section 206 to establish a child development center of 50 children ages infant to four years and nine staff in the basement and first floor in an R-2 District at premises 1027 51st Street, N.E., (Square 5200, Lot 75).

HEARING DATE: November 20, 1991
DECISION DATE: November 20, 1991 (Bench Decision)

DISPOSITION: The Board GRANTED the application by a vote of 4-0 (Paula L. Jewell, Sheri M. Pruitt, John G. Parsons and Carrie L. Thornhill to grant; Charles R. Norris not present, not voting).

FINAL DATE OF ORDER: November 26, 1991

MODIFICATION ORDER

The Board granted the application subject to six conditions by its order dated November 26, 1991. By letter dated December 17, 1991, the applicant requested the Board to modify its approval of the application to allow use of the entire structure for the proposed child development center and to extend the permitted hours of operation to 6:30 a.m. to 6:00 p.m. The bases for the requested modification were that (a) the pre-inspection by the Child Care Licensing Division encompassed the entire structure; and (b) several potential clients have requested child care services starting at 6:30 a.m. There was no opposition to the requested modification of the Board's original approval.

Upon consideration of the motion, the record in the case, and its final order, the Board concludes that the proposed modification is minor in nature and does not substantially alter the overall project as approved by the Board. No additional zoning relief is required. The material facts relied upon by the Board in approving the application are still relevant. It is therefore ORDERED that the MODIFICATION is hereby GRANTED, SUBJECT to the following CONDITIONS:

1. Condition No. 2 shall be modified to extend the permitted hours of operation to 6:30 a.m. to 6:00 p.m., Monday through Friday.
2. The facility may occupy the entire premises in compliance with the criteria of the Child Care Licensing Division.

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In all other respects the order of the Board dated November 26, 1991 shall remain in full force and effect.

DECISION DATE: January 8, 1992

VOTE: 4-0 (Carrie L. Thornhill, Sheri M. Pruitt and Paula L. Jewell to grant; John G. Parsons to grant by proxy; Charles R. Norris not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


MADELIENE H. ROBINSON
Acting Director

FINAL DATE OF ORDER: _____

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

15598Order/SS/bhs

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



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As Acting Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on JAN 30 1992 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Deborah A. Shields
4209 Kinmount Road
Lanham, Maryland 20706

Mary Gaffney, Chairperson
Advisory Neighborhood Commission 7C
4651 H.H. Burroughs Avenue, N.E.
Washington, D.C. 20019

A handwritten signature in dark ink, reading "Madeliene H. Robinson", is written over a horizontal line.

MADELIENE H. ROBINSON
Acting Director

DATE: JAN 30 1992

15598Att/bhs